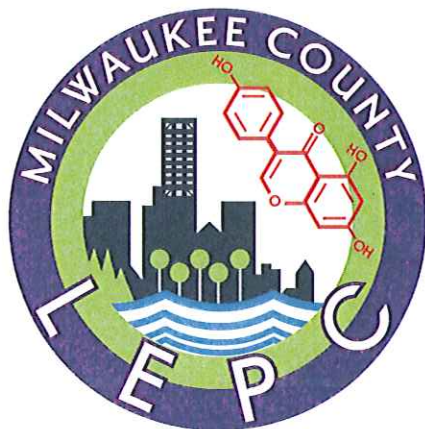


MILWAUKEE COUNTY
LOCAL EMERGENCY PLANNING
COMMITTEE



BY-LAWS

Revised
September
2016

MILWAUKEE COUNTY LOCAL EMERGENCY PLANNING COMMITTEE BY-LAWS

ARTICLE I - GENERAL PROVISIONS/RULES OF OPERATION

SECTION 1 - PREAMBLE:

The Local Emergency Planning Committee (LEPC) serves the Milwaukee County Local Planning District, which was established by the Wisconsin State Emergency Response Board (SERB) on July 17, 1987. The Milwaukee County LEPC was confirmed by the SERB on October 14, 1987, and held its first meeting on December 2, 1987. The LEPC has been established in compliance with the requirements of Title III of the Superfund Amendments and Reauthorization Act (SARA) of 1986 (PL99-499) and 1987 Wisconsin Act 342, Hazardous Substances Information and Emergency Planning Act, and assumes thereby all responsibilities, duties and powers as provided therein, by related statutes and by County Board ordinances, resolutions, or other directives. These rules of operation are promulgated under the directive of SARA Title III, Section 301(c). The effective date of these operational rules is October 16, 1989.

SECTION 2 - NAME:

The official name of the Committee shall be the "Milwaukee County Local Emergency Planning Committee (MCLEPC)."

ARTICLE II - MEMBERS AND OFFICERS

SECTION 1 - MEMBERS:

Per the state statute and EPCRA guidance, the specific categories that the LEPC needs to meet are as follows:

A membership list consisting of, at a minimum:

A chairperson, a coordinator of information, and representatives of each of the following groups:

- Group 1 – Elected state and local officials;
- Group 2 – Law enforcement, civil defense, firefighting, first aid, health, local environmental, hospital, transportation personnel;
- Group 3 – Broadcast and print media;
- Group 4 – Community Groups;
- Group 5 – Owners and operators of facilities subject to EPCRA requirements.

SECTION 2 - APPOINTMENT OF MEMBERS:

The members of the MCLEPC shall be appointed by the County Executive and approved by the County Board of Supervisors. Each member should designate an alternate(s). If any member is absent without valid reason or without being represented by a designated alternate for three consecutive meetings, such member may be removed by majority vote of members present. As of March 10, 2014, the location of an individual's personal residence shall not preclude membership on the MCLEPC as long as he or she holds professional affiliation, employment with, or a business ownership stake in Milwaukee County, a municipality within Milwaukee County, or with a government unit or business organization providing services related to the business of the LEPC and/or Milwaukee County.

SECTION 3 - OFFICERS:

The Officers of the MCLEPC shall be a Chairperson, and Vice-Chairperson.

SECTION 4 - ELECTION OF OFFICERS:

Election of Officers shall be conducted at the final meeting of the MCLEPC for the planning year (October 1 – September 30), or at the next meeting of the MCLEPC following a vacancy.

Chairperson - Subject to the requirements of Title III, Section 301(c), the MCLEPC will elect a Chairperson for a term of two years, with the term to commence at the start of the planning year (October 1) and expiring at the end of a planning year (September 30). The position of Chairperson can be held for consecutive terms if so desired by the MCLEPC.

Vice-Chairperson - In order to assure the continuity of operations in the absence of the Chairperson, the MCLEPC has established the post of Vice-Chairperson and will elect a person for that post. In the absence of the Chairperson, the Vice-Chairperson will preside over the meetings of the MCLEPC. The Vice-Chairperson will be elected for a term of two years, with the term to commence at the start of the planning year (October 1) and expiring at the end of a planning year (September 30). The position of Vice-Chairperson can be held for consecutive terms if so desired by the MCLEPC.

In the event a vacancy in an elected office occurs during a two-year term, an election will be held to fill the remainder of the term.

SECTION 5 - DUTIES OF THE OFFICERS:

Chairperson - The Chairperson shall preside over meetings of the MCLEPC, sign all official documents when required, and perform other duties usual to the office.

Vice-Chairperson - In order to assure the continuity of operations in the absence of the Chairperson, the MCLEPC has established the post of Vice-Chairperson, who, in the Chairperson's absence, will preside over meetings of the MCLEPC. In the case of prolonged absence of the Chairperson, the Vice-Chairperson shall assume the other duties of the Chairperson and shall perform such other duties as are usual to the office.

SECTION 6 - SUPPORT PERSONNEL:

Subject to the requirements of Title III (Section 301(c)), Milwaukee County Office of Emergency Management (OEM) will provide staff to fulfill the duties and responsibilities of Community Emergency Coordinator, Coordinator of Information, and Secretary.

Coordinator of Information - Subject to the requirements of Title III (Section 301(c)), the Coordinator of Information will undertake those duties and responsibilities, and other responsibilities and duties assigned by the MCLEPC.

Community Emergency Coordinator - Subject to the requirements of Title III (Section 303 (c)(3)), the Community Emergency Coordinator will undertake those duties as assigned and other responsibilities and duties assigned by the MCLEPC.

Secretary – Under the direction of the LEPC, OEM staff will prepare and keep minutes of the business conducted. Such minutes shall be forwarded by the Secretary to those requiring their distribution.

SECTION 7 - SUB-COMMITTEES:

The following Sub-Committees have been created by the MCLEPC and may meet jointly:

Communication and Public Relations Sub-Committee - This sub-committee is responsible for providing the media with information. Arrangements for news releases relative to legislation, compliance and general information will be undertaken by this sub-committee.

Community Right-to-Know Sub-Committee - This sub-committee is responsible for reviewing facility emergency off-site plans, address community concerns regarding planning for emergencies, provide a forum for community outreach, and respond to citizens' questions and concerns relative to the safety, location and use of hazardous materials. The Chairperson of this sub-committee shall be the Vice-Chairperson of the MCLEPC.

Emergency Response Sub-Committee - This sub-committee will tour, pre-plan, and prepare hazard assessment of emergency response capabilities for the facility

in question. On reviewing these plans the committee notes particular areas of concern involving chemical storage, protection systems, emergency procedures, and emergency equipment which may significantly affect the community, employee safety, and emergency responders actions as dictated by the release of chemicals according to the worst case scenario. Suggestions are then discussed for each facility and recommendations are presented to the MCLEPC. The Chairperson of this sub-committee shall be the Regional Hazardous Material Response Coordinator.

Compliance Sub-Committee - This sub-committee will assist in review of the compliance status of facilities subject to SARA Title III or Wisconsin State Law, and provide appropriate recommendations to the MCLEPC or other agencies, as necessary. The Chairperson shall be the Milwaukee County Emergency Management EPCRA Planner.

Membership Sub-Committee - This sub-committee will assist in selection and retention of qualified MCLEPC members. This sub-committee will recommend to the MCLEPC and to the County Executive potential new members, as necessary, to fill vacancies or new positions. This sub-committee will also carry out periodic review of the MCLEPC bylaws, and recommend revisions, as appropriate, to support effective function of the MCLEPC. The Chairperson shall be the Milwaukee County Emergency Management Administrator.

Other sub-committees may be created by the MCLEPC, as necessary, to address issues related to SARA Title III implementation and effective functioning of the Milwaukee County LEPC.

ARTICLE III - OPERATIONAL PROCEDURES

SECTION 1 - MEETINGS:

The MCLEPC shall post an annual meeting scheduled. The meetings shall begin at 8:30 a.m. unless otherwise specified. All meetings shall be open to the public and in accordance with applicable Wisconsin open meeting laws, except when the MCLEPC may call a closed session but only in strict accordance with ss19.85 Wisconsin Statutes as amended.

An emergency meeting of the MCLEPC may be called by the Chairperson and within 24 hours require a full committee meeting. All regular meetings require a 72-hour notice be given to the members.

A facility representative must be present to review all new plans and any updated plans that poses a hazard greater than a tenth of a mile. Reasonable accommodations will be made by the MCLEPC to provide conference call capability for facility representatives that are unable to appear in person.

SECTION 2 - QUORUM:

A quorum shall consist of 50% of the appointed MCLEPC membership. No action may be taken except by a majority vote of such quorum.

SECTION 3 - ORDER OF BUSINESS:

The Secretary shall prepare an agenda for each MCLEPC meeting, listing the matters of business at all meetings. Items to be included on the agenda will be submitted by the Chairperson to the Secretary at least five working days prior to the meeting of the MCLEPC unless an emergency condition is present. The agenda will be compiled and sent to MCLEPC members, local media representatives, and others who request copies at least 24 hours prior to the MCLEPC meeting. Agenda items may not be added on the floor of the meeting.

The MCLEPC will, in every agenda, provide a limited period of time to receive public comments and input. Time for public comments will be allotted on a first-come, first-serve basis. The MCLEPC may limit comments to reasonable time frames, limit public input time, and close the time for public input upon a majority roll call vote from the MCLEPC.

Minutes of all meetings and sessions of the MCLEPC will be distributed to members, the Southeast Area Office of the Wisconsin Division of Emergency Management and others who request them.

Roberts Rules of Order shall govern actions of the MCLEPC where they are not covered by these rules and regulations or other County Ordinances.

SECTION 4 - VOTING:

Every member of the MCLEPC shall have one vote on items of business. A majority vote of the members present, in favor of items before the MCLEPC will be needed for passage.

Every member of the MCLEPC appointed by the County Executive shall select an alternate to attend meetings in his or her absence. The alternate may participate in discussions and will have voting rights.

SECTION 5 - ADOPTION AND AMENDMENTS OF THE RULES OF OPERATION:

Adoption of these rules or approval of amendments to the rules can be made at any regular or special meeting of the MCLEPC as an agenda item with a majority roll call vote.

ARTICLE IV PREPARATION AND DISTRIBUTION OF LEPC PLANS

The development and review of the County Wide Hazardous Materials Response Plan and Site Specific Facility Off-Site Plans shall be in accordance with state planning guidance and Subchapter VI, Emergency Planning, 323.60, Wis. Stats., and the operational requirements of the LEPC. Distribution of the County Wide Hazardous Materials Response Plan and Site Specific Facility Off-Site Plans will be accomplished electronically and shall include the emergency response agencies for applicable local units of government.

REVISIONS DATES: 02/97, 02/98, 02/99, 02/00, 02/01, 02/02, 04/03, 05/04, 05/05, 06/06, 06/07, 09/08, 07/10, 09/12, 11/13, 03/14, 03/15, 09/16